

# Senate File 2313 - Introduced

SENATE FILE 2313  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3106)

## A BILL FOR

1 An Act relating to the medical cannabidiol Act, including by  
2 granting the department of public health the authority to  
3 alter the definition of medical cannabidiol and to alter the  
4 list of debilitating medical conditions for which the use  
5 of medical cannabidiol would be medically beneficial, and  
6 including conforming changes.  
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124E.2, subsection 6, Code 2018, is  
2 amended to read as follows:

3 6. "*Medical cannabidiol*" means any pharmaceutical  
4 grade cannabinoid found in the plant *Cannabis sativa* L. or  
5 *Cannabis indica* or any other preparation thereof that has a  
6 tetrahydrocannabinol level of no more than three percent,  
7 unless otherwise recommended by the medical cannabidiol board  
8 and adopted by the department pursuant to rule, and that is  
9 delivered in a form recommended by the medical cannabidiol  
10 board, approved by the board of medicine, and adopted by the  
11 department pursuant to rule.

12 Sec. 2. Section 124E.5, subsection 4, Code 2018, is amended  
13 to read as follows:

14 4. a. Recommendations made by the medical cannabidiol  
15 board pursuant to subsection 3, ~~paragraphs~~ paragraph "b" and  
16 "e", shall be made to the ~~board of medicine for consideration,~~  
17 department and ~~if approved,~~ shall be adopted by the ~~board of~~  
18 medicine department by rule.

19 b. Recommendations made by the medical cannabidiol board  
20 pursuant to subsection 3, paragraph "e", shall be made to the  
21 board of medicine and shall be adopted by the board of medicine  
22 by rule.

23 Sec. 3. Section 124E.5, subsection 6, Code 2018, is amended  
24 by striking the subsection.

25 Sec. 4. Section 124E.11, subsection 2, paragraph c, Code  
26 2018, is amended by striking the paragraph.

27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with  
29 the explanation's substance by the members of the general assembly.

30 This bill grants the medical cannabidiol board authority  
31 to recommend to the department of public health alteration  
32 of the definition of medical cannabidiol under the medical  
33 cannabidiol Act (Code chapter 124E), including the allowable  
34 tetrahydrocannabinol (THC) level. The bill also allows the  
35 medical cannabidiol board to recommend the alteration of

1 the list of debilitating medical conditions for which the  
2 medical use of cannabidiol would be medically beneficial  
3 to the department of public health, which shall adopt such  
4 recommendations by rule. The bill requires the board of  
5 medicine to adopt recommendations made by the medical  
6 cannabidiol board regarding the form and quantity of allowable  
7 medical uses of marijuana. Current law allows the department  
8 of public health to do so following the approval of the board  
9 of medicine.

10 The bill strikes current provisions in the law which allow  
11 the medical cannabidiol board to recommend increasing the THC  
12 level to more than 3 percent to the general assembly and that  
13 the general assembly shall have the sole authority to alter the  
14 definition of medical cannabidiol.